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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,245	12/31/2003	Seok-Chan Yun	P24737	6996
7055	7590	11/21/2005	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			WEBB, TIFFANY LOUISE	
			ART UNIT	PAPER NUMBER
			3616	

DATE MAILED: 11/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/748,245

Applicant(s)

YUN, SEOK-CHAN

Examiner

Tiffany Webb

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 December 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/31/2004
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____

DETAILED ACTION

1. Receipt of the preliminary amendment filed 12/31/2003 is acknowledged.

Amended claims 1-4 have been examined.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

3. The drawings are objected to because the prior art presented in Figure 1 is not clear.
4. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the lever being hinged to a sub frame must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering

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of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

5. The disclosure is objected to because of the following informalities:
 - a. Page 6, line 13: A control arm and knuckle are discussed, but not shown. The examiner suggests adding "(not shown)" to the end of the sentence on line 13.
 - b. Page 6, line 18: A fastener is discussed, but not shown in the drawings. The examiner suggests adding "(not shown)" after "a fastener" on line 18. Appropriate correction is required.

Claim Objections

6. Claims 3 and 4 are objected to because of the following informalities: the phrase "an insert hole which takes a circular shape" is unclear language. The examiner suggests rephrasing the claim to read, "an insert hole which is circular in shape." Appropriate correction is required.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1 and 3 are rejected under 35 U.S.C. 102(b) as being anticipated by Banse (US 5,108,126). Regarding claim 1, Banse discloses having an actuator assembly on a vehicle suspension including a lever (29) with first (30) and second brackets (31) being hinged to a sub frame (25), an actuator (22) coupled to the first bracket on end, and a movable member permitting pivoting of the actuator (24 and 21).

Regarding claim 3, the first bracket has an insert hole, which is circular in shape (30).

9. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Duphily et al. (US 4,470,611). Regarding claim 1, Duphily et al. discloses an actuator assembly of a suspension (col. 1, lines 5-9) that has a lever (shown at around 128 in Figure 2), with first (128) and second brackets (126) being hinged to a sub frame (C), with an actuator (112) coupled to the first bracket on one end and a movable member permitting pivoting (col. 3, line4: called pin 124, also 114 in Figure 2) of the actuator. Regarding claim 2, Duphily et al. discloses have a hinge type mechanism to allow pivoting of the actuator (col. 3, lines 1-2). Regarding claims 3 and 4, Duphily et al. discloses having circular shaped insert holes in the first bracket (132, 126, and 114).

10. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Lee (US 6,182,979). Regarding claim 1, Lee discloses and actuator assembly for a vehicle suspension (col. 1, lines 60-67) including a lever (6 or 14) with first (lower portion by 14 in Figure 1) and second brackets (60) being hinged to a sub frame (hinged at 30), an actuator (2) coupled to the first bracket (coupled by 4), and a movable member

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permitting pivoting of the actuator (col. 3, lines 42-45). Regarding claim 2, Lee discloses have a movable member as a hinge on the actuator (col. 3, lines 42-45; using hinge pin 4). Regarding claims 3 and 4, Lee discloses having insert holds which are circular in shape (see Figure 1 at 34 and 4).

Conclusion

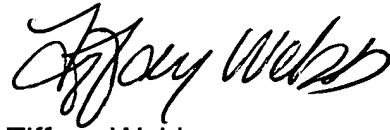
11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Other suspension systems that use actuator brackets include: Janeway (US 2,792,216), Richardson (US 6,073,946), Rumpel et al. (5,954,352), and Karpik (US 6,357,543).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tiffany Webb whose telephone number is 571-272-2797. The examiner can normally be reached on 7-5 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tiffany Webb
Examiner
Art Unit 3616

tlw



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11/14/05